

FORM PTO-1390 (Modified)
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES

17722 (PC27004)

DESIGNATED/ELECTED OFFICE (DO/EO/US)

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

CONCERNING A FILING UNDER 35 U.S.C. 371

10/505200

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/EP03/01594

18 February 2003 (18.02.03)

19 February 2002 (19.02.2002)

TITLE OF INVENTION

TRICYCLIC PYRAZOLE DERIVATIVES, PROCESS FOR THEIR PREPARATION AND THEIR USE AS
ANTITUMOR AGENTS

APPLICANT(S) FOR DO/EO/US

Roberto D'Alessio, Alberto Bargiotti, Maria Gabriella Brasca, Antonella Ermoli, Paolo Pevarello, and
Marcellino Tibolla

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EL 871024571 US
23. ☒ Other items or information:

Courtesy copy of International Application

Correspondence Address Customer No. 23389

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 101.101) <div style="font-size: 24pt; font-weight: bold; text-align: center;">10/505200</div>		INTERNATIONAL APPLICATION NO. PCT/EP03/01594		ATTORNEY'S DOCKET NUMBER 17722 (PC27004)																																																																
24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <div style="margin-left: 20px;"><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</div> <div style="text-align: right; font-weight: bold;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				CALCULATIONS PTO USE ONLY																																																																
Surcharge of \$130.00 for furnishing the oath or declaration later than _____ months from the earliest claimed priority date (37 CFR 1.492 (e)). <div style="margin-left: 400px;"><input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30</div>				\$920.00																																																																
<table border="1" style="width:100%; border-collapse: collapse;"><thead><tr><th style="width:15%;">CLAIMS</th><th style="width:20%;">NUMBER FILED</th><th style="width:20%;">NUMBER EXTRA</th><th style="width:10%;">RATE</th><th style="width:25%;"></th></tr></thead><tbody><tr><td>Total claims</td><td style="text-align: center;">32 - 20 =</td><td style="text-align: center;">12</td><td style="text-align: center;">x \$18.00</td><td style="text-align: right; font-weight: bold;">\$216.00</td></tr><tr><td>Independent claims</td><td style="text-align: center;">4 - 3 =</td><td style="text-align: center;">1</td><td style="text-align: center;">x \$86.00</td><td style="text-align: right; font-weight: bold;">\$86.00</td></tr><tr><td colspan="4">Multiple Dependent Claims (check if applicable). <input type="checkbox"/></td><td style="text-align: right; font-weight: bold;">\$0.00</td></tr><tr><td colspan="4" style="text-align: right; font-weight: bold;">TOTAL OF ABOVE CALCULATIONS =</td><td style="text-align: right; font-weight: bold;">\$1,352.00</td></tr><tr><td colspan="4"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td><td style="text-align: right; font-weight: bold;">\$0.00</td></tr><tr><td colspan="4" style="text-align: right; font-weight: bold;">SUBTOTAL =</td><td style="text-align: right; font-weight: bold;">\$1,352.00</td></tr><tr><td colspan="4" style="vertical-align: top;">Processing fee of \$130.00 for furnishing the English translation later than _____ months from the earliest claimed priority date (37 CFR 1.492 (f)). <div style="margin-left: 400px;"><input type="checkbox"/> 20 <input type="checkbox"/> 30</div></td><td style="vertical-align: bottom; text-align: center; font-weight: bold;">\$0.00</td></tr><tr><td colspan="4" style="text-align: right; font-weight: bold;">TOTAL NATIONAL FEE =</td><td style="text-align: right; font-weight: bold;">\$1,352.00</td></tr><tr><td colspan="4" style="vertical-align: top;">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/></td><td style="text-align: right; font-weight: bold;">\$0.00</td></tr><tr><td colspan="4" style="text-align: right; font-weight: bold;">TOTAL FEES ENCLOSED =</td><td style="text-align: right; font-weight: bold;">\$1,352.00</td></tr><tr><td colspan="4" rowspan="2"></td><td style="text-align: center;">Amount to be: refunded</td><td style="text-align: center;">\$</td></tr><tr><td style="text-align: center;">charged</td><td style="text-align: center;">\$</td></tr></tbody></table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total claims	32 - 20 =	12	x \$18.00	\$216.00	Independent claims	4 - 3 =	1	x \$86.00	\$86.00	Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	TOTAL OF ABOVE CALCULATIONS =				\$1,352.00	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0.00	SUBTOTAL =				\$1,352.00	Processing fee of \$130.00 for furnishing the English translation later than _____ months from the earliest claimed priority date (37 CFR 1.492 (f)). <div style="margin-left: 400px;"><input type="checkbox"/> 20 <input type="checkbox"/> 30</div>				\$0.00	TOTAL NATIONAL FEE =				\$1,352.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00	TOTAL FEES ENCLOSED =				\$1,352.00					Amount to be: refunded	\$	charged	\$		
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a. <input checked="" type="checkbox"/> A check in the amount of <u>\$1,352.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-1013/SSMP</u> d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																																																																				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																																																																				
SEND ALL CORRESPONDENCE TO: <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Peter I. Bernstein Registration No. 43,497 SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza Garden City, New York 11530 (516) 742-4343</div>																																																																				
				<div style="text-align: center; font-size: 24pt; font-family: cursive;">Peter I. Bernstein</div> <hr/> <div style="text-align: center;">SIGNATURE</div> <hr/> <div style="text-align: center;">Peter I. Bernstein</div> <hr/> <div style="text-align: center;">NAME</div> <hr/> <div style="text-align: center;">43,497</div> <hr/> <div style="text-align: center;">REGISTRATION NUMBER</div> <hr/> <div style="text-align: center;">August 19, 2004</div> <hr/> <div style="text-align: center;">DATE</div>																																																																

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Roberto D'Alessio, et al.

Docket No.

10/505200
722 PC27004)Application No.
UnassignedFiling Date
HerewithExaminer
UnassignedCustomer No.
23389Group Art Unit
Unassigned

Invention: TRICYCLIC PYRAZOLE DERIVATIVES, PROCESS FOR THEIR PREPARATION AND THEIR USE AS ANTITUMOR AGENTS

I hereby certify that the following correspondence:

NEW U.S. APPLICATION UNDER 35 U.S.C. 371

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August 19, 2004
(Date)

Peter I. Bernstein

(Typed or Printed Name of Person Mailing Correspondence)


(Signature of Person Mailing Correspondence)

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